



REGISTRAR OF REGULATIONS

08 DEC -4 PM 1:53

COMMONWEALTH of VIRGINIA

Department of Health DIVISION OF SHELLFISH SANITATION

109 Governor Street, Room 614-B
Richmond, VA 23219

Ph: 804-864-7487
Fax: 804-864-7481

NOTICE AND DESCRIPTION OF SHELLFISH AREA CONDEMNATION NUMBER 016-057, INDIAN CREEK

EFFECTIVE 17 DECEMBER 2008

Pursuant to Title 28.2, Chapter 8, §§28.2-803 through 28.2-808, §32.1-20, and §2.2-4002, B.16 of the *Code of Virginia*.

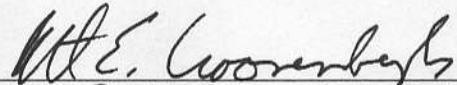
1. The "Notice and Description of Shellfish Area Condemnation Number 016-057, Indian Creek," effective 28 December 2007, is cancelled effective 17 December 2008.
2. Condemned Shellfish Area Number 016-057, shown as Sections A, B, C and D, is established effective 17 December 2008. As to Sections A, B and C, it shall be unlawful for any person, firm, or corporation to take shellfish from these areas for any purpose, except by permit granted by the Marine Resources Commission, as provided in Section 28.2-810 of the *Code of Virginia*. As to Section D, it shall be unlawful for any person, firm or corporation to take shellfish from this area, for any purpose. The boundaries of these areas are shown on the map titled "Indian Creek, Condemned Shellfish Area Number 016-057, 17 December 2008" which is part of this notice.
3. Seasonally Condemned Shellfish Area Number 016-057, shown as Section M1 is established effective 1 April 2009, and shall remain in force annually thereafter for the period beginning the first day of April through the last day of October until rescinded. It shall be unlawful for any person, firm or corporation to take shellfish from this area during such period for any purpose, except by permit granted by Marine Resources Commission, as provided in §28.2-810 of the *Code of Virginia*. The boundaries of this area are shown on the map titled "Indian Creek, Condemned Shellfish Area Number 016-057, 17 December 2008" which is part of this notice.
4. The Department of Health will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision of this order.

BOUNDARIES OF CONDEMNED AREA NUMBER 016-057

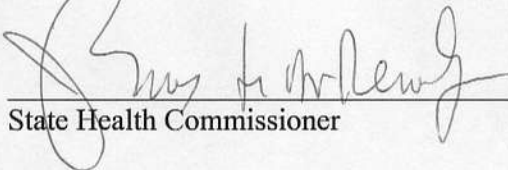
- A. The condemned area shall include that portion of Indian Creek and its tributaries lying upstream of a line drawn between latitude / longitude map coordinate (37°41'51.2", -76°20'53.2") and map coordinate (37°41'47.8", -76°21'01.1"); but excluding the area defined as Section D.

- B. The condemned area shall include all of Pittmans Cove and its tributaries lying upstream of a line drawn between latitude / longitude map coordinate (37°41'37.1", -76°21'03.8") and map coordinate (37°41'34.3", -76°20'57.0").
- C. The condemned area shall include that portion of Henry's Creek and its tributaries lying upstream of a line drawn between latitude / longitude map coordinate (37°41'29.4", -76°19'27.3") and map coordinate (37°41'30.7", -76°19'35.2").
- D. The condemned area shall include that portion of Indian Creek and its tributaries lying upstream of a line drawn between latitude / longitude map coordinate (37°42'17.0", -76°21'20.4") and map coordinate (37°42'14.2", -76°21'21.3").
- M1. The seasonally condemned area shall include that portion of Indian Creek lying inland of a line drawn between latitude / longitude map coordinate (37°41'30.0", -76°20'36.1") and map coordinate (37°41'24.9", -76°20'20.0").

Recommended by:


Director, Division of Shellfish Sanitation

Ordered by:


State Health Commissioner

12/3/08

Date

Virginia Department of Health
Indian Creek
Condemned Shellfish Area 016-057
17 December 2008

0 750 1,500 3,000
Feet



- Condemned Shellfish Areas (Sections A - C)
- Condemned Shellfish Area (Section D)
- Seasonally Condemned Shellfish Area (Section M1)

